

City Council Introduction: **Monday**, June 2, 2003
Public Hearing: **Monday**, June 9, 2003, at **1:30 p.m.**

Bill No. 03R-142

FACTSHEET

TITLE: **PRELIMINARY PLAT NO. 02012, BIG THOMPSON CREEK**, requested by Ridge Development Company, to create 158 residential lots and 4 outlots, with associated waiver requests, on property generally located northeast of the intersection of South 56th Street and Yankee Hill Road.

STAFF RECOMMENDATION: Conditional Approval.

ASSOCIATED REQUEST: Annexation No. 02004 (03-90), Zoning and Annexation Agreement (03R-141) and Change of Zone No. 3362 (03-91).

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 01/08/03 and 01/22/03
Administrative Action: 01/22/03

RECOMMENDATION: Conditional Approval, with amendments (5-0: Krieser, Taylor, Carlson, Newman and Steward voting 'yes'; Duvall, Larson, Schwinn and Bills-Strand absent).

FINDINGS OF FACT:

1. This preliminary plat and the associated Annexation No. 02004 and Change of Zone No. 3362 were heard at the same time before the Planning Commission.
2. The applicant has requested the following waivers: 1) Block length in excess of 1,320'; 2) pedestrian easement where a block exceeds 1,000' in length; 3) intersection approach exceeding 3% in grade; 4) sanitary sewer flow opposite street grades; 5) lots less than 120' deep adjacent to a major street; and 6) lot lines not perpendicular to right-of-way lines. The staff has recommended approval of all waivers except lots less than 120' deep adjacent to a major street.
3. The staff recommendation of conditional approval is based upon the "Analysis" as set forth on p.10-11, concluding that the necessary improvements must be shown on the plat if the annexation agreement is signed as drafted. The improvements called for in the agreement, along with the waivers requested with this preliminary plat, will allow the change of zone and preliminary plat to be found to generally conform to the Zoning Ordinance and Comprehensive Plan. If the annexation agreement is not signed as drafted, these applications do not conform to the Zoning Ordinance and Comprehensive Plan and should not be approved.
4. The applicant's testimony at the initial public hearing is found on p.16-17, and the applicant submitted proposed amendments to the conditions of approval on January 8, 2003 (p.36-38).
5. The applicant's testimony at the continued public hearing on January 22, 2003, is found on p.17-18, and the applicant submitted revised proposed amendments to the conditions of approval (p.39-43).
6. There was no testimony in opposition.
7. On January 22, 2003, the Planning Commission voted 5-0 to recommend conditional approval, as set forth in the staff report dated December 22, 2002, with the amendments as proposed by the applicant on January 22, 2003. The Planning Commission action grants all waiver requests, including the waiver of the 120' depth for lots adjacent to a major street for Lots 3, 4 and 5, Block 1.
8. On January 23, 2003, a letter reflecting the action of the Planning Commission and the amended conditions of approval was mailed to the applicant (p.2-6).
9. The Site Specific conditions of approval required to be completed prior to scheduling this application on the City Council agenda have been satisfied.

FACTSHEET PREPARED BY: Jean L. Walker

REVIEWED BY:

REFERENCE NUMBER: FS\CC\2003\PP.02012 Big Thompson Creek

DATE: May 27, 2003

DATE: May 27, 2003

January 23, 2003

Olsson Associates
Stephen Clymer
1111 Lincoln Mall
Lincoln NE 68508

Re: Preliminary Plat No. 02012
BIG THOMPSON CREEK

Dear Mr. Clymer:

At its regular meeting on Wednesday, **January 22, 2003**, the Lincoln-Lancaster County Planning Commission granted approval to your preliminary plat, **Big Thompson Creek**, located in the general vicinity of **S. 56th St. and Yankee Hill Rd.**, subject to the following conditions:

Site Specific:

1. After the subdivider completes the following instructions and submits the documents and plans and 6 copies to the Planning Department office, the preliminary plat will be scheduled on the City Council's agenda: (NOTE: These documents and plans are required by ordinance or design standards.)

1.1 Revise the preliminary plat to show:

1.1.10 Additional utility easements noted in the L.E.S. review, excluding any expansion of the existing L.E.S. transmission line easement along South 56th Street. **(**Per Planning Commission, at the request of the applicant, 01/22/03**)**

1.1.2 A minimum lot depth of 120' for those lots adjacent to South 56th Street, except for Lots 3, 4 and 5, Block 1. **(**Per Planning Commission, at the request of the applicant, 01/22/03**)**

1.1.3 Required improvements in South 56th Street, including the dedication of a pedestrian way/landscape easement east of the existing 50 feet of right-of-way that is acceptable to the Public Works & Utilities Department, Parks & Recreation Department and Lincoln Electric System, and is subject and subservient to the existing L.E.S. transmission line easement along South 56th Street. The owners shall be responsible for vertically adjusting the L.E.S. transmission pole located along South 56th Street approximately 386 feet north of the south property line in conjunction with the grading of the property included within the limits of the plat. **(**Per Planning Commission, at the request of the applicant, 01/22/03**)**

- 1.1.4 An alternate street tree species approved by the Parks and Recreation Department and L.E.S. for planting along South 56th Street. (****Per Planning Commission, at the request of the applicant, 01/22/03****)
- 1.1.5 A 20' wide public access easement for the proposed bike trail along the north boundary of the plat that is subject and subservient to the existing L.E.S. easement. (****Per Planning Commission, at the request of the applicant, 01/22/03****)
- 1.1.6 The intended use for all outlots, in addition to General Note #11.
- 1.1.7 All owners of lands within the limits of the plat.
- 1.1.8 The required landscape screen along South 56th Street located on private property and moved out of the public right-of-way.
- 1.1.9 The requested waivers on the face of the plat revised to ~~delete #3 (lot depth)~~ limit the lot depth waiver to Lots 3, 4 and 5, Block 1, only, and to include the waivers to a pedestrian easement, an intersection approach exceeding 3% grade, and lot lines not perpendicular to a street. (****Per Planning Commission, at the request of the applicant, 01/22/03****)
- 1.1.10 Either the grading plan revised to show no grading on adjacent properties, or the plat revised to show those lands within the boundary; or written approval from adjacent land owners is provided.

1.2 A revised grading and drainage plan per Public Works and Utilities review.

2. The City Council approves associated requests:

2.1 Annexation #02004.

2.2 Change of Zone #3362.

2.3 An exception to the design standards to permit sanitary sewer flow opposite street grades; and, an intersection approach exceeding 3% grade.

2.4 A modification to the requirements of the land subdivision ordinance to permit block length in excess of 1,320'; pedestrian easement where a block exceeds 1,000' in length; ~~and, lot lines not perpendicular to a street; and lots less than 120 feet deep adjacent to a major street for Lots 3, 4 and 5, Block 1.~~ (****Per Planning Commission, at the request of the applicant, 01/22/03****)

General:

3. Lots 10-16, Block 7 cannot be included in a final plat until all required right-of-way for Exbury Road is dedicated and provisions for completing the improvement therein have been made in accordance with the Land Subdivision Ordinance.
4. Final Plats will be scheduled on the Planning Commission agenda after:
 - 4.1 You have completed or posted a surety to guarantee the completion of the public streets, sidewalks, sanitary sewer system, water system, drainage facilities, land preparation and grading, sediment and erosion control measures, storm water detention/retention facilities, drainageway improvements, street lights, landscaping screens, street trees, temporary turnaround and barricades, and street name signs.
 - 4.2 The subdivider has signed an agreement that binds the subdivider, its successors and assigns:
 - 4.2.1 To submit to the Director of Public Works a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land for approval.
 - 4.2.2 To complete the private improvements shown on the preliminary plat.
 - 4.2.3 To maintain the outlots and private improvements on a permanent and continuous basis, to properly and continuously maintain and supervise the private facilities which have common use or benefit, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning of stormwater detention/retention facilities as they were designed and constructed within the development. However, the subdivider may be relieved and discharged of ~~this~~ these maintenance obligations upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The subdivider shall not be relieved of such maintenance obligation until the document or documents creating said property owners association have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds. **(**Per Planning Commission, at the request of the applicant, 01/22/03**)**
 - 4.2.4 To continuously and regularly maintain the landscape screens and landscaping in medians within the internal streets. **(**Per Planning Commission, at the request of the applicant, 01/22/03**)**
 - 4.2.5 To submit to the lot buyers and homebuilders a copy of the soil analysis.
 - 4.2.6 ~~To properly and continuously maintain and supervise the private facilities which have common use or benefit, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning~~

~~of storm water detention/retention facilities as they were designed and constructed within the development, and that these are the responsibility of the land owner.~~

(Per Planning Commission, at the request of the applicant, 01/22/03**)**

- 4.2.7 ~~To pay all improvement costs except the cost in excess of the equivalent of a 6" water main for the 24" water main in South 56th Street, and all costs of the water main for that portion of it adjacent to the L.E.S. property (Lot 36 I.T.) as otherwise provided in the Big Thompson Creek Conditional Annexation and Zoning Agreement.~~ **(**Per Planning Commission, at the request of the applicant, 01/22/03**)**
- 4.2.8 To comply with the Land Preparation and Grading requirements of the Land Subdivision Ordinance.
- 4.2.9 To relinquish the right of direct vehicular access from all lots to South 56th Street except for Lot 5, Block 11, if used as a fire station or for other public use, and as shown on the plat. **(**Per Planning Commission, at the request of the applicant, 01/22/03**)**

The findings of the Planning Commission will be submitted to the City Council for their review and action. You will be notified by letter if the Council does not concur with the conditions listed above.

You may appeal the findings of the Planning Commission to the City Council by filing a notice of appeal with the City Clerk. The appeal is to be filed within 14 days following the action by the Planning Commission. You have authority to proceed with the plans and specifications for the installation of the required improvements after the City Council has approved the preliminary plat. If you choose to construct any or all of the required improvements prior to the City's approval and acceptance of the final plat, please contact the Director of Public Works before proceeding with the preparation of the engineering plans and specifications. If the required minimum improvements are not installed prior to the City Council approving and accepting any final plat, a bond or an approved Agreement of Escrow of Security Fund is required.

The approved preliminary plat is effective for only ten (10) years from the date of the City Council's approval. If a final plat is submitted five (5) years or more after the effective date of the preliminary plat, the City may require that a new preliminary plat be submitted. A new preliminary plat may be required if the subdivision ordinance or the design standards have been amended.

You should submit an ownership certificate indicating the record owner of the property included within the boundaries of the final plat when submitting a final plat.

The Subdivision Ordinance requires that there be no liens of taxes against the land being final platted and that all special assessment installment payments be current. When you submit a final plat you will be given forms to be signed by the County Treasurer verifying that there are no liens of taxes and by the City Treasurer verifying that the special assessment installment payments are current.

Sincerely,

J. Greg Schwinn, Chair
City-County Planning Commission

cc: Owner
Public Works - Dennis Bartels
LES
Alltel Communications Co.
Cablevision
Fire Department
Police Department
Health Department
Parks and Recreation
Urban Development
Lincoln Public Schools
County Engineers
City Clerk

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

This is a combined staff report for related items. This report contains a single background and analysis section for all items. However, there are separate conditions provided for each individual application.

P.A.S.: Annexation #02004 **DATE:** December 22, 2002
Change of Zone #3362
Preliminary Plat #02012 - Big Thompson Creek

SCHEDULED PLANNING COMMISSION MEETING: January 8, 2002

****As Revised by Planning Commission: 1/22/03****

PROPOSAL: ANN#02004 - To annex 46.22 acres.
CZ#3362 - To change the zoning from AG to R-3.
PP#02012 - Creates 158 residential lots and four outlots.

WAIVER REQUESTS:

- 1. Block length in excess of 1,320'.**
- 2. Pedestrian easement where a block exceeds 1,000' in length.**
- 3. Intersection approach exceeding 3% in grade.**
- 4. Sanitary sewer flow opposite street grades.**
- 5. Lots less than 120' deep adjacent to a major street.**
- 6. Lot lines not perpendicular to right-of-way lines.**

LAND AREA: Approximately 46.22 acres.

CONCLUSION: If the annexation agreement is signed as drafted, the necessary improvements must be shown on the plat. The improvements called for in the agreement along with the requested waivers will allow the change of zone and preliminary plat to be found to generally conform to the Zoning Ordinance and Comprehensive Plan. If the annexation agreement is not signed as drafted, these applications do not conform to the Zoning Ordinance and Comprehensive Plan and should not be approved.

RECOMMENDATION:

Annexation #02004

Conditional Approval

Change of Zone #3362**Approval**

Preliminary Plat #02012

Conditional Approval

WAIVERS

Block length in excess of 1,320'

Approval

Pedestrian easement where a block exceeds 1,000' in length.

Approval

Intersection approach exceeding 3% in grade.

Approval

Sanitary sewer flow opposite street grades.

Approval

Lots less than 120' deep adjacent to a major street.

Denial

Lot lines not perpendicular to right-of-way lines.

Approval

GENERAL INFORMATION:**LEGAL DESCRIPTION:** See attached legal description.**LOCATION:** Northeast of the intersection of South 56th Street and Yankee Hill Road.**APPLICANT/****OWNER:** Ridge Development Company
2001 Pine Lake Road, Suite 100
Lincoln, NE 68542**CONTACT:** Stephen Clymer
Olsson Associates
1111 Lincoln Mall
Lincoln, NE 68508
(402)474-6311**EXISTING ZONING:** AG Agriculture**EXISTING LAND USE:** Agriculture**SURROUNDING LAND USE AND ZONING:**

North: Residential under development (Thompson Creek)

R-3

South: Agriculture

AG

East: Agriculture

AG

West: Single-family Residential

AGR

COMPREHENSIVE PLAN SPECIFICATIONS:

Page F25 - The future land use map designates urban residential land use for this area.

Page F31 - This area is shown as Priority Area A of Tier 1 within of the City's Future Service Limit. Lands within Priority Area A should be provided with basic infrastructure within 12 years of adoption of the Plan.

Page F103 - South 56th Street is shown as a principal arterial at this location. Principal arterials can provide direct access to adjacent land, but their primary functional responsibility is moving traffic within the transportation system.

Page F105 - South 56th Street is shown to be constructed as a four-lane plus center turn-lane roadway.

Page F110 - South 56th Street is included on the list of proposed street improvement projects for the 25 year programming period.

Page F112 - South 56th Street is included with those streets designated for 120' wide rights-of-way to allow for a four-lane plus center turn-lane roadway and other public improvements in the right-of-way.

HISTORY: Preliminary Plat was submitted **March 25, 2002.**

Planning Director's letter was sent **April 24, 2002.**

Revised preliminary plat was submitted **November 27, 2002.**

UTILITIES: Water- The internal water system for this plat is satisfactory. However, a 24" water main must be constructed in South 56th Street to get water to the site, and the funds for the City's portion of this improvement have not been budgeted.

Sanitary Sewer - This project will connect to the sanitary sewer being constructed to serve Thompson Creek subdivision adjacent to the north. The sewer plan shown is satisfactory.

TRAFFIC ANALYSIS: Internal local streets will connect with those being platted as part of Thompson Creek adjacent to the north. A full turning-movement median provides access to South 56th Street at Cavy Road.

South 56th Street is planned to be a four-lane plus center turn-lane arterial street, however the funds for this improvement are currently not in the six-year capital improvements program. Temporary widening of South 56th Street to accommodate the turn lanes necessary for the full median access at Cavy Road will be necessary if this project is developed in advance of the permanent upgrade of South 56th Street.

PUBLIC SERVICE: Annexation is necessary for connection to the City's water and sewer systems. After annexation, all municipal services will be provided. Engine #6 at South 48th and Claire Streets is the nearest existing fire station, although this plat shows a potential future fire station site on Lot 5, Block 11; Gere Library is located at South 56th and Normal Blvd; and, a potential future school site is shown on the property immediately east of this project - also a potential site for a future neighborhood park to be located somewhere in this area.

REGIONAL ISSUES: Impact upon L.E.S. power transmission lines in the area.

ANALYSIS:

1. This site is outside the city limit but within the Future Service Limit and must be annexed to receive City services. An annexation agreement is required. A partial listing of the conditions in the agreement is as follows:
 - A. That 10' of additional right-of-way be dedicated along South 56th Street to provide one-half of the required 120' right-of-way;
 - B. That an additional 10' utility easement be granted to L.E.S. along South 56th Street;
 - C. That the developer pay to relocate L.E.S. power poles out of the South 56th Street right-of-way;
 - D. That the developer pay one-half of the equivalent cost to design, grade, and pave South 56th Street with curb and gutter as a "suburban cross section";
 - E. That the developer pay to construct temporary left-turn lanes in South 56th Street to accommodate full median access at Cavvy Road if streets are final platted that connect to South 56th Street prior to construction of the improvements in 'D' above;
 - F. The developer will construct a 24" water main in South 56th Street, and the City agrees to subsidize the cost in excess of the equivalent of a 6" water main, and all costs of the water main for that portion adjacent to the L.E.S. property at the northwest corner of the plat (Lot 36 I.T.).
2. At the time the utility easement was acquired to accommodate the L.E.S. transmission line along South 56th Street, a 100' wide right-of-way was the standard for arterial streets. The utility easement was wide enough to allow the power line to be constructed outside the right-of-way to help prevent future conflicts between street widening and other permanent infrastructure, such as utility poles. The right-of-way standard changed with the adoption of the Comprehensive Plan in 2002, and a 120' wide right-of-way is now required for South 56th Street at this location. When the additional right-of-way is dedicated, several L.E.S. utility poles will be in it. The annexation agreement requires that the developer dedicate the additional right-of-way, grant additional utility easement to compensate for the wider right-of-way, and pay to relocate any L.E.S. utility poles out of the South 56th Street right-of-way.
3. The Subdivision Ordinance requires a minimum lot depth of 120' for residential lots along major streets. This helps provide adequate area for required screening, and helps maintain a separation to reduce the impact upon residences located adjacent to major streets. Several

of the lots shown along South 56th Street do not provide this minimum lot depth, and a waiver has been requested to allow them as shown. There are no unique topographic or physical characteristics on the site that dictate the lot layout being proposed. As a result, in the absence of any hardship or unique circumstance, the plat should be redesigned to provide the required minimum lot depth.

4. A waiver to block length is being requested, but is a condition partially created by the adjacent subdivision, Thompson Creek. When the preliminary plat of Thompson Creek was approved, a long block was created, but did not exceed 1,320' so a waiver was not required at that time. However, the continuation of streets and blocks within this plat creates a block more than 1,320' long.

A waiver to pedestrian easement in a block over 1,000' long is also requested. However, the bike trail along the north boundary satisfies the requirement for a pedestrian easement provided a notation granting a public access easement is included on the plat. If this access easement over the bike trail is shown, the waiver is not required. With that, the proposed street layout and bike trail combine to provide adequate vehicular and pedestrian access, and justify the requested waiver to block length.

5. A waiver to lot lines not perpendicular to streets is also requested, and it is acceptable given the minor deviation and the layout of the plat.
6. Revisions to the grading and drainage plan are required, and must be approved by Public Works and Utilities before this project is considered by the City Council. It is noted in the Public Works and Utilities review that grading is shown outside the limits of the plat to the south and east. This requires permission from the adjacent land owners. Additionally, in the case of the grading outside the plat to the east, a portion of the right-of-way for Exbury Road is shown on adjacent property. The lots fronting this street cannot be final platted until all the required right-of-way is dedicated and provisions for completing the improvement therein have been made in accordance with the Land Subdivision Ordinance.
7. In their review, Public Works and Utilities also notes that waivers to the 3% platform slope for the Cavvy Road and South 56th Street intersection and sewer flowing opposite street grades are requested. Considering the natural terrain and to help minimize grading on the site, these waivers are acceptable.

*

8. Other minor revisions to the plat are required to comply with Lincoln Municipal Code, and they include:

A. The street trees shown along South 56th Street will interfere with the existing power lines when fully grown. The developer must coordinate an alternate species with the Parks and Recreation Department for planting in this area.

B. A 20' wide public access easement for the proposed bike trail at the north boundary of the plat.

C. The intended use for all outlots must be shown on the plat, in addition to being shown in the notes.

D. All owners of lands within the limits of the plat must be shown.

E. The required landscape screen along South 56th Street must be located on private property and moved out of the public right-of-way.

CONDITIONS:

Preliminary Plat #02012

Site Specific:

1. After the subdivider completes the following instructions and submits the documents and plans and 6 copies to the Planning Department office, the preliminary plat will be scheduled on the City Council's agenda: (NOTE: These documents and plans are required by ordinance or design standards.)
 - 1.1 Revise the preliminary plat to show:
 - 1.1.1 Additional utility easements noted in the L.E.S. review, excluding any expansion of the existing L.E.S. transmission line easement along South 56th Street. **(**Per Planning Commission, at the request of the applicant, 01/22/03**)**
 - 1.1.2 A minimum lot depth of 120' for those lots adjacent to South 56th Street, except for Lots 3, 4 and 5, Block 1. **(**Per Planning Commission, at the request of the applicant, 01/22/03**)**
 - 1.1.3 Required improvements in South 56th Street, including the dedication of a pedestrian way/landscape easement east of the existing 50 feet of right-of-way that is acceptable to the Public Works & Utilities Department, Parks & Recreation Department and Lincoln Electric System, and is subject and subservient to the existing L.E.S. transmission line easement along South 56th Street. The owners shall be responsible for vertically adjusting the L.E.S. transmission pole located along South 56th Street approximately 386 feet north of the south property line in conjunction with the grading of the property included within the limits of the plat. **(**Per Planning Commission, at the request of the applicant, 01/22/03**)**
 - 1.1.4 An alternate street tree species approved by the Parks and Recreation Department and L.E.S. for planting along South 56th Street. **(**Per Planning Commission, at the request of the applicant, 01/22/03**)**

- 1.1.5 A 20' wide public access easement for the proposed bike trail along the north boundary of the plat that is subject and subservient to the existing L.E.S. easement. (****Per Planning Commission, at the request of the applicant, 01/22/03****)
- 1.1.6 The intended use for all outlots, in addition to General Note #11.
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- 1.1.8 The required landscape screen along South 56th Street located on private property and moved out of the public right-of-way.
- 1.1.9 The requested waivers on the face of the plat revised to ~~delete #3 (lot depth)~~ limit the lot depth waiver to Lots 3, 4 and 5, Block 1, only, and to include the waivers to a pedestrian easement, an intersection approach exceeding 3% grade, and lot lines not perpendicular to a street. (****Per Planning Commission, at the request of the applicant, 01/22/03****)
- 1.1.10 Either the grading plan revised to show no grading on adjacent properties, or the plat revised to show those lands within the boundary; or written approval from adjacent land owners is provided.

1.2 A revised grading and drainage plan per Public Works and Utilities review.

2. The City Council approves associated requests:

- 2.1 Annexation #02004.
- 2.2 Change of Zone #3362.
- 2.3 An exception to the design standards to permit sanitary sewer flow opposite street grades; and, an intersection approach exceeding 3% grade.
- 2.4 A modification to the requirements of the land subdivision ordinance to permit block length in excess of 1,320'; pedestrian easement where a block exceeds 1,000' in length; ~~and, lot lines not perpendicular to a street; and lots less than 120 feet deep adjacent to a major street for Lots 3, 4 and 5, Block 1.~~ (****Per Planning Commission, at the request of the applicant, 01/22/03****)

General:

- 3. Lots 10-16, Block 7 cannot be included in a final plat until all required right-of-way for Exbury Road is dedicated and provisions for completing the improvement therein have been made in accordance with the Land Subdivision Ordinance.
- 4. Final Plats will be scheduled on the Planning Commission agenda after:

- 4.1 You have completed or posted a surety to guarantee the completion of the public streets, sidewalks, sanitary sewer system, water system, drainage facilities, land preparation and grading, sediment and erosions control measures, storm water detention/retention facilities, drainageway improvements, street lights, landscaping screens, street trees, temporary turnaround and barricades, and street name signs.
- 4.2 The subdivider has signed an agreement that binds the subdivider, its successors and assigns:
- 4.2.1 To submit to the Director of Public Works a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land for approval.
- 4.2.2 To complete the private improvements shown on the preliminary plat.
- 4.2.3 To maintain the outlots and private improvements on a permanent and continuous basis, to properly and continuously maintain and supervise the private facilities which have common use or benefit, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning of stormwater detention/retention facilities as they were designed and constructed within the development. However, the subdivider may be relieved and discharged of ~~this~~ these maintenance obligations upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The subdivider shall not be relieved of such maintenance obligation until the document or documents creating said property owners association have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds. **(**Per Planning Commission, at the request of the applicant, 01/22/03**)**
- 4.2.4 To continuously and regularly maintain the landscape screens and landscaping in medians within the internal streets. **(**Per Planning Commission, at the request of the applicant, 01/22/03**)**
- 4.2.5 To submit to the lot buyers and homebuilders a copy of the soil analysis.
- ~~4.2.6 To properly and continuously maintain and supervise the private facilities which have common use or benefit, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning of storm water detention/retention facilities as they were designed and constructed within the development, and that these are the responsibility of the land owner.~~
(Per Planning Commission, at the request of the applicant, 01/22/03**)**
- 4.2.7 To pay all improvement costs except the cost in excess of the equivalent of a 6" water main for the 24" water main in South 56th Street, and all costs of the water main for that portion of it adjacent to the L.E.S. property (Lot 36 I.T.) as otherwise

provided in the Big Thompson Creek Conditional Annexation and Zoning Agreement. (****Per Planning Commission, at the request of the applicant, 01/22/03****)

- 4.2.8 To comply with the Land Preparation and Grading requirements of the Land Subdivision Ordinance.
- 4.2.9 To relinquish the right of direct vehicular access from all lots to South 56th Street except for Lot 5, Block 11, if used as a fire station or for other public use, and as shown on the plat. (****Per Planning Commission, at the request of the applicant, 01/22/03****)

Prepared by:

Brian Will, AICP
Planner

**ANNEXATION NO. 02004,
CHANGE OF ZONE NO. 3362,
FROM AG AGRICULTURAL TO R-3 RESIDENTIAL,
and
PRELIMINARY PLAT NO. 02012,
BIG THOMPSON CREEK**

PUBLIC HEARING BEFORE PLANNING COMMISSION:

January 8, 2003

Members present: Carlson, Bills-Strand, Larson, Newman, Taylor, Krieser and Schwinn; Steward and Duvall absent.

Staff recommendation: Approval of the Annexation, subject to an annexation agreement; approval of the change of zone and conditional approval of the preliminary plat.

Proponents

1. Kent Seacrest appeared on behalf of **Ridge Development Company** and **Southview, Inc.**, the developers. This is a subdivision for 157 single family dwellings generally south of Campbells Nursery at 56th & Pine Lake Road. Seacrest indicated that he is requesting a two-week deferral because the motion to amend which he will be presenting contains a waiver request which was not advertised. The applicant is also interested in meeting with Planning, Public Works, Law, Fire, LES and any neighbors if they have any concerns in the next two weeks.

Seacrest submitted the proposed motion to amend the conditions of approval. One set of amendments deals with the dedication of So. 56th Street right-of-way and the corresponding LES transmission line that goes up and down the street. He believes that the remaining amendments can be worked out with the staff in the next two weeks.

The big issue is, what is the appropriate right-of-way dedication on So. 56th for a residential development of this nature? This all ties back into what was previously called "public way corridors". There was a packet of text amendments in front of the Commission in May of 2002, consisting of 125 pages of ordinance amendments and design standard amendments to interpret and reflect these standards. At that hearing, city staff requested that it be put on pending so that they could continue to work on the details. It is still on the Planning Commission pending list and everyone thought it was going to come back. Now the administration indicates that the package is not coming back. The Comprehensive Plan shows 120' right-of-way. This leaves the Planning Commission to interpret what we do with the 120' right-of-way desire.

In this project, the staff is asking this developer to move an LES power line at a cost of ½ million dollars. The Planning Commission needs to give the staff some wisdom as to what to do with this issue.

Seacrest went on to state that the fact pattern is a city-wide issue. What do we do with big power lines? We had a standard of 100' right-of-way to build 4-lane roads and LES went around this community and put in the transmission lines right outside the 100' right-of-way and spent money acquiring easements. The city now wants 120' right-of-way and thus the LES power lines are in the public right-of-way. We've been building 4-lane roads in 100' of right-of-way in some instances, but if you want the 28' boulevard and the wide landscaped medians with double rows of trees, you might have to move the power line in some instances. Who pays to move power lines? In the subject fact pattern, someday 56th Street will be 4-lanes and it will cost \$450,000 on this developer's frontage to build 4 lanes. The power line relocation is estimated at over ½ million dollars. The city can't get LES to move the power line because they were there first. Now the city wants this developer to move those power lines. If we did that, we would pay three times the amount of any impact fee. And if the impact fee ordinance is adopted, we won't get a credit. If the city was building that road today, they wouldn't move those power lines. They can build all the four lanes they want in 100' and 110'. They do not need 120' in all instances.

Seacrest further pointed out that the developers have given the city 120' in some projects, but we've never sat down and figured out what the 120' corridor standards should be. Seacrest submits that the 120' width is not necessary in this project.

Seacrest urged that this is a big issue because it goes back to the Planning Commission pending list. His clients are caught in the middle of "two elephants dancing—LES and the City". What are we going to do as a community to address this? Seacrest stated that he helped draft a compromise to the 120' at the time, and the standard says it is the desired width, not the mandatory width. Seacrest requested that this development be allowed to give the city the additional 10' through a landscape easement.

Seacrest also pointed out that this development is paying for one-half of the road if there are no impact fees. If there are impact fees, this development would be paying the \$2500.

Bills moved to defer for two weeks, with continued public hearing and administrative action scheduled for January 22, 2003, seconded by Krieser and carried 7-0: Carlson, Bills-Strand, Larson, Newman, Taylor, Krieser and Schwinn voting 'yes'; Duvall and Steward absent.

There was no testimony in opposition.

CONT'D PUBLIC HEARING BEFORE PLANNING COMMISSION:

January 22, 2003

Members present: Krieser, Taylor, Carlson, Newman and Steward; Duvall, Larson, Schwinn and Bills-Strand absent.

Staff recommendation: Approval of the Annexation, subject to an Annexation Agreement; approval of the Change of Zone; and conditional approval of the Preliminary Plat.

Proponents

1. Kent Seacrest appeared on behalf of **Southview, Inc. and Ridge Development Company**. This is a proposal for 156 single family dwelling units and nothing else. It abuts So. 56th Street. This

happens to be the first project trying to implement the 120' corridor vision, and LES planned their poles under the old 100' standard. Seacrest submitted proposed amendments to the conditions of approval, which he believes are now acceptable to LES, the city and the applicants. The compromise is that the developer of this subdivision is giving an easement for sidewalk and landscaping to get the 120' corridor vision implemented, but because of the poles we might go more than 120' so that we can put the sidewalk on the opposite side so that the pole would be between the street and the sidewalk, if necessary. This provides flexibility to meander the sidewalk.

Seacrest expressed appreciation to the staff and LES for their cooperation in coming to a reasonable consensus so that this developer does not have to pay to relocate the LES transmission line.

Seacrest indicated that the developer has met with the neighborhoods and to the best of his knowledge there are no issues to report.

Steward asked Seacrest to describe, for the Commission's general awareness, the nearest neighborhood shopping or commercial location to this project of new housing as well as the proximity to trails and recreational areas. Seacrest displayed a map. The northern part of this plat is a proposed trail network. Then it goes down and connects into the Beal Slough trail, and then this goes to the west and connects to a trail network there. There will also be a trail on one side or the other of 56th Street. As far as shopping, this piece of land is in the section that is comprised primarily of Campbell Nursery, which is proposing a "new urbanism" community center primarily on the southeast corner of Pine Lake Road and So. 56th. One-half mile to the north will be a neighborhood community center, into which the trail network connects. That neighborhood center has been designated in the Comprehensive Plan. Otherwise, this development will also be located between two large regional centers at 27th and Pine Lake Road and 84th and Hwy 2. There is also a designation close to Rokeby and 40th Street that is a community center in the Comprehensive Plan.

Steward inquired as to the developer's intent for the characteristics of Outlot A. Seacrest indicated that it is a dry detention facility—it will be a green open space that will get wet and drain within 12 hours. Right now the vision is for LPS to have school site on the section but they are looking at moving that school site to the eastern edge of this development, and again, on the trail network. There was no testimony in opposition.

Staff questions

Brian Will of Planning staff agreed with the motion to amend submitted by Seacrest, including the blue ink changes which were actually recommended by the staff.

Public hearing was closed.

ANNEXATION NO. 02004

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

January 22, 2003

Newman moved approval, seconded by Krieser and carried 5-0: Krieser, Taylor, Carlson, Newman and Steward voting 'yes'; Duvall, Larson, Schwinn and Bills-Strand absent.

CHANGE OF ZONE NO. 3362

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

January 22, 2003

Newman moved approval, seconded by Krieser and carried 5-0: Krieser, Taylor, Carlson, Newman and Steward voting 'yes'; Duvall, Larson, Schwinn and Bills-Strand absent.

PRELIMINARY PLAT NO. 02012

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

January 22, 2003

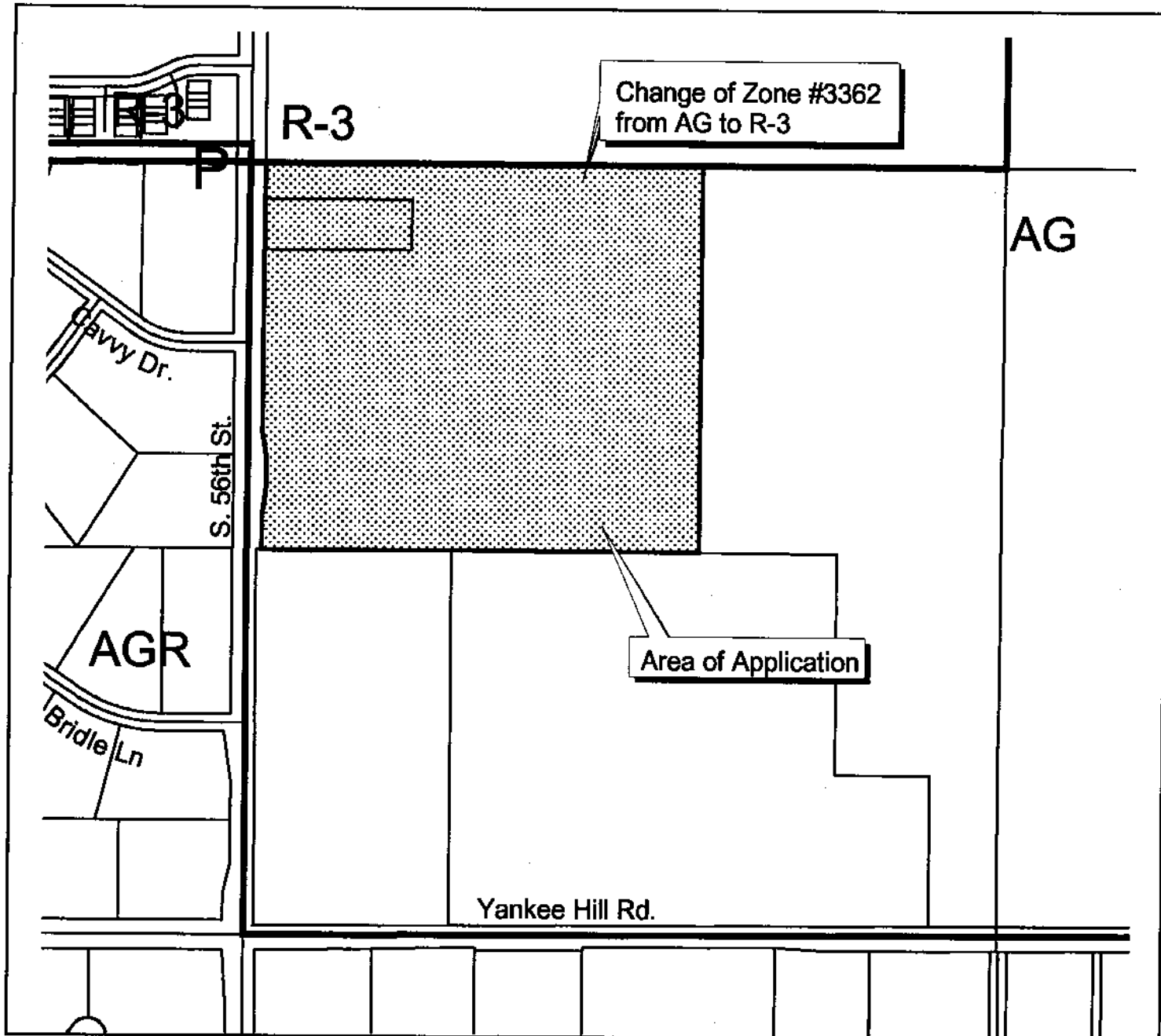
Newman moved conditional approval, with the amendments proposed by the applicant, seconded by Krieser and carried 5-0: Krieser, Taylor, Carlson, Newman and Steward voting 'yes'; Duvall, Larson, Schwinn and Bills-Strand absent.



Preliminary Plat #02012
Change of Zone #3362
Big Thompson Creek



020

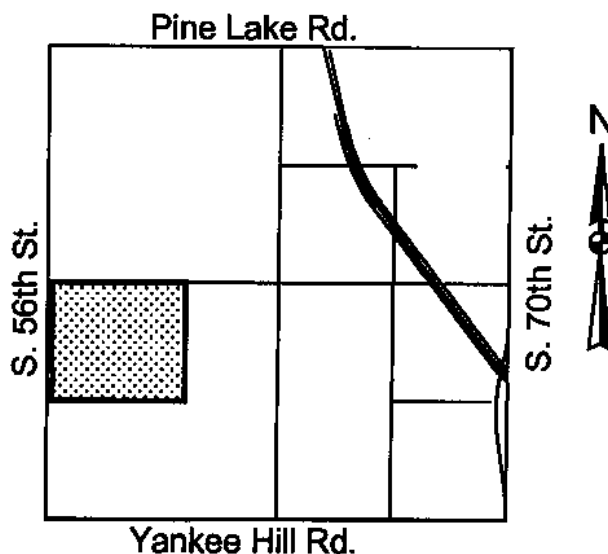
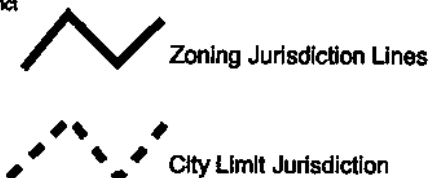


Preliminary Plat #02012
Change of Zone #3362
Big Thompson Creek

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
 Sec. 21 T9N R7E



021

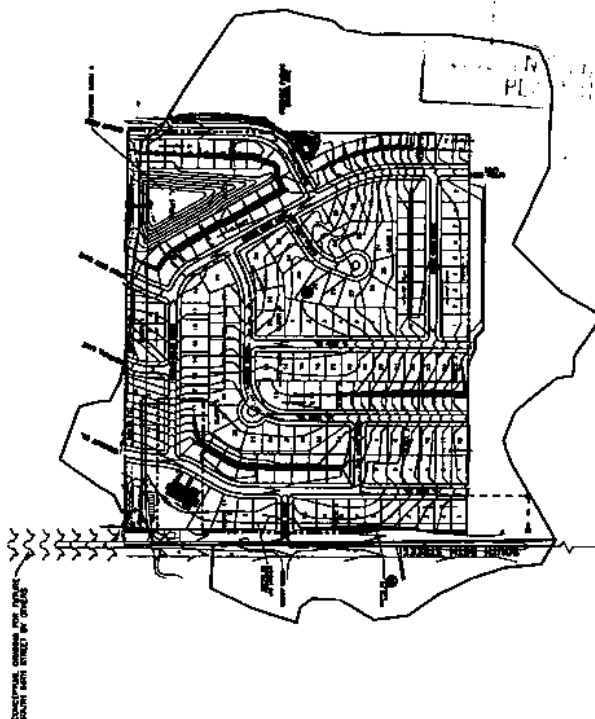
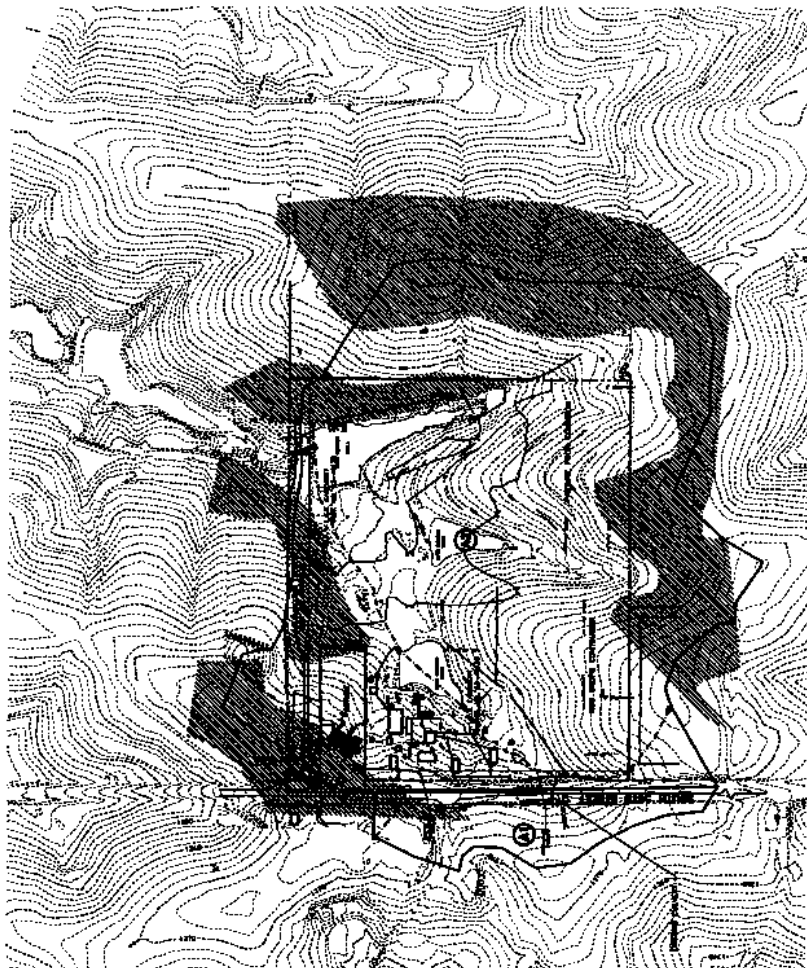
PROBABILITY PLAY

Figure 1 is a schematic diagram of the experimental setup. It shows a cross-section of a polymer film on a substrate. The film is divided into three regions: a top layer labeled 'POLYMER SOLUTION', a middle layer labeled 'POLYMER FILM', and a bottom layer labeled 'SUBSTRATE'. The top layer is further divided into three sub-regions: 'POLYMER SOLUTION', 'POLYMER FILM', and 'POLYMER FILM'. The middle layer is labeled 'POLYMER FILM'. The bottom layer is labeled 'SUBSTRATE'. The diagram also shows a 'POLYMER FILM' layer on the 'SUBSTRATE'.

[illegible][illegible]

SUBAREA	AREA (ACRES)	NO. OF CATTLE	NO. OF COWS	NO. OF CALVES
A1	1.15	77	16	16
A2	0.34	42	11	11
A3	0.34	42	11	11

STOCK PRICE (\$)	401-CELESTO COMBINES (BARS ADJUST TO CUMUL. 10%)	401-CELESTO COMBINES (BARS ADJUST TO CUMUL. 10%)	STOCKS ADJUSTED	STOCKS ADJUSTED
2	114	114	114	114
10	253	253	253	253
140	501	501	501	501



RECEIVED
DEC 23 2002

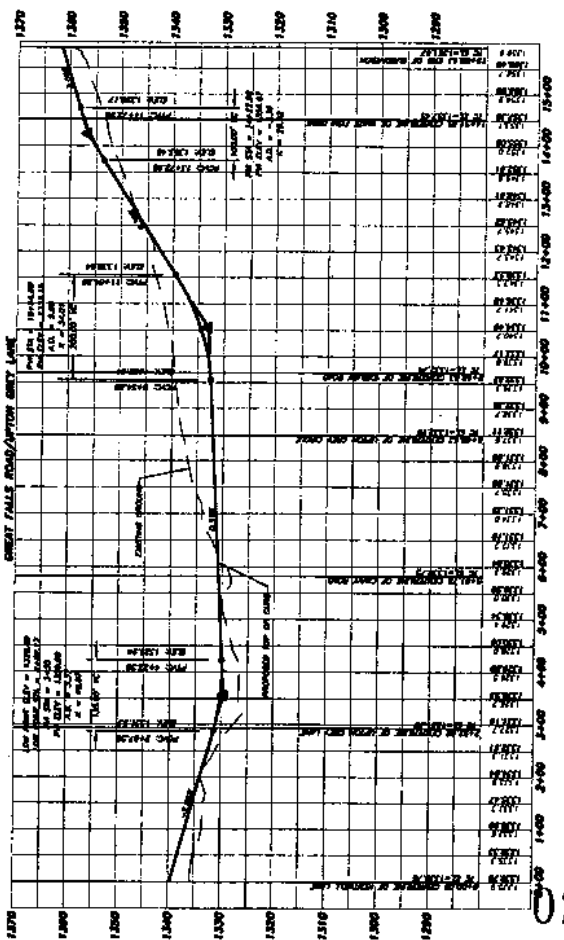
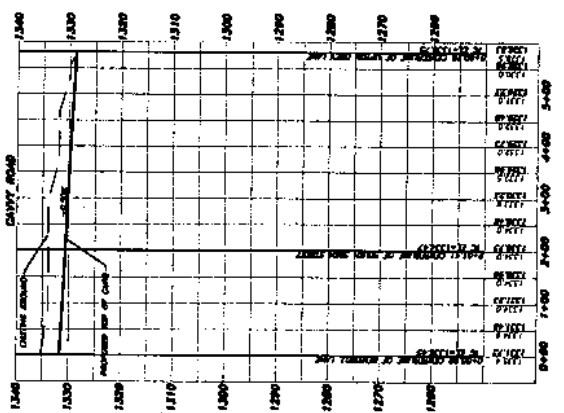
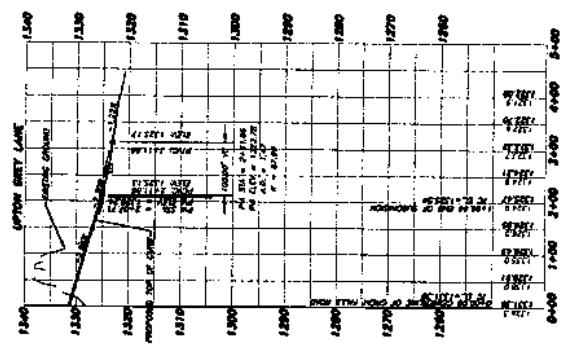
OUTSIDE TROPHIC AND VIBRATORY REGULATION

024

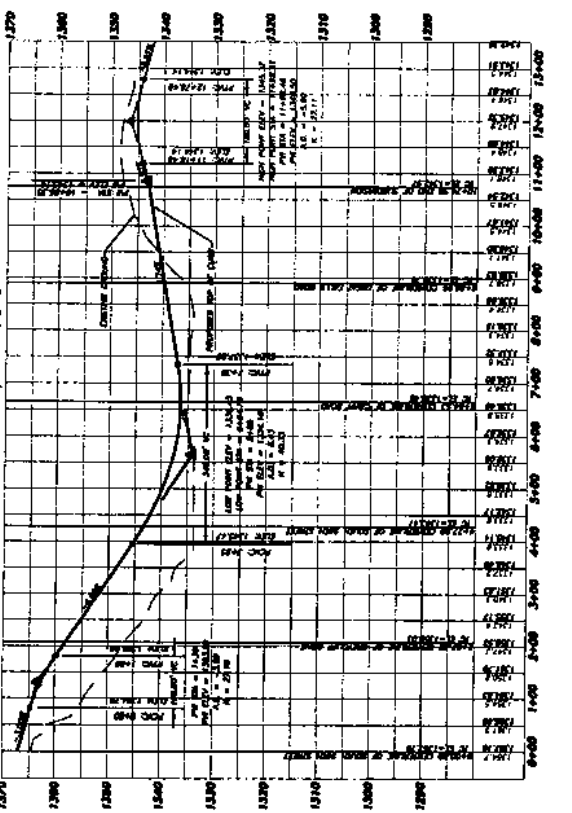
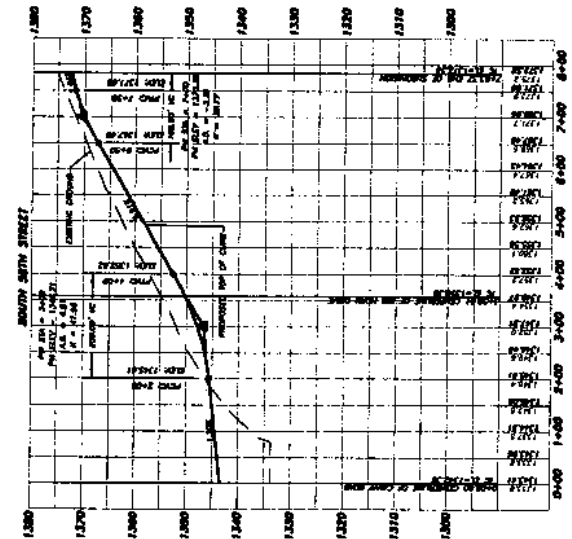
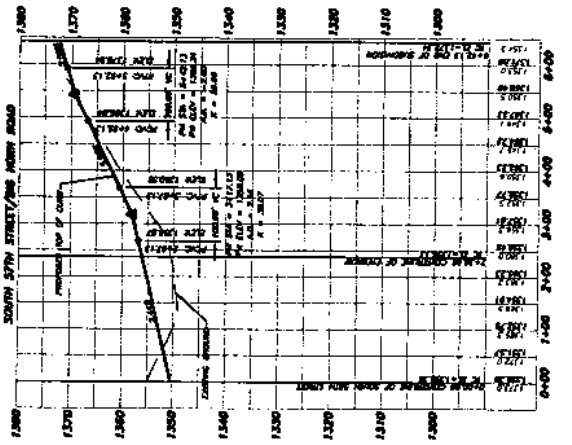
PRELIMINARY STREET PROFILES

REVISIONS

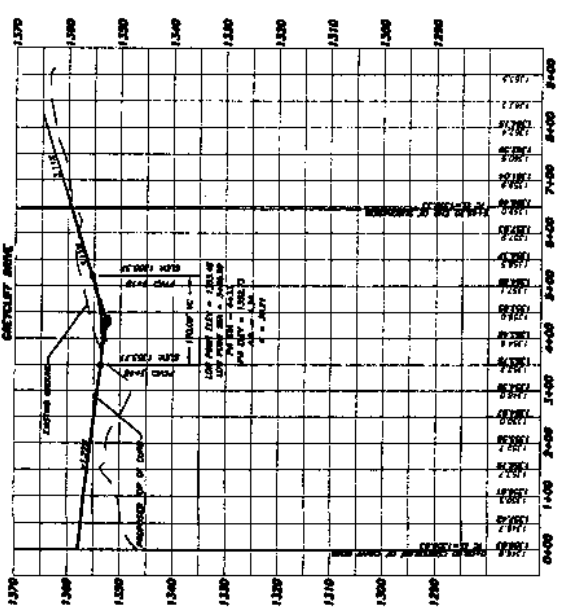
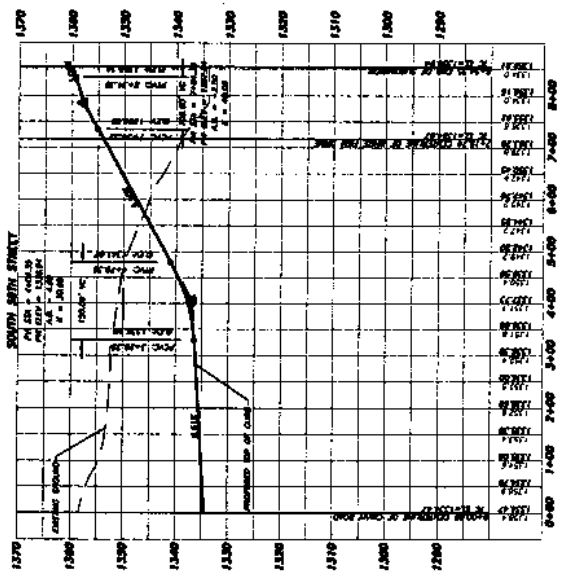
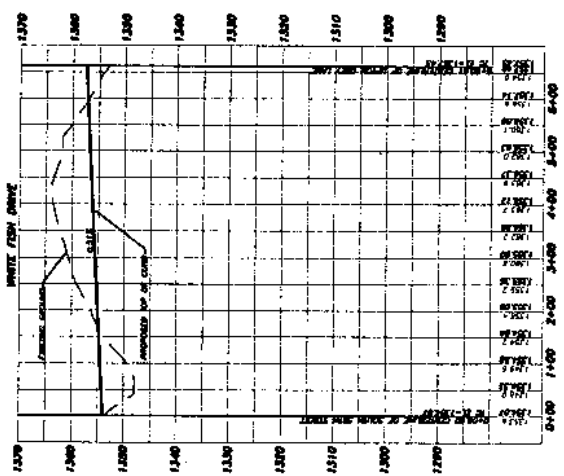
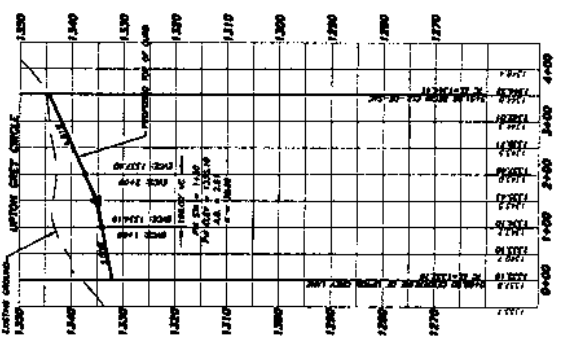
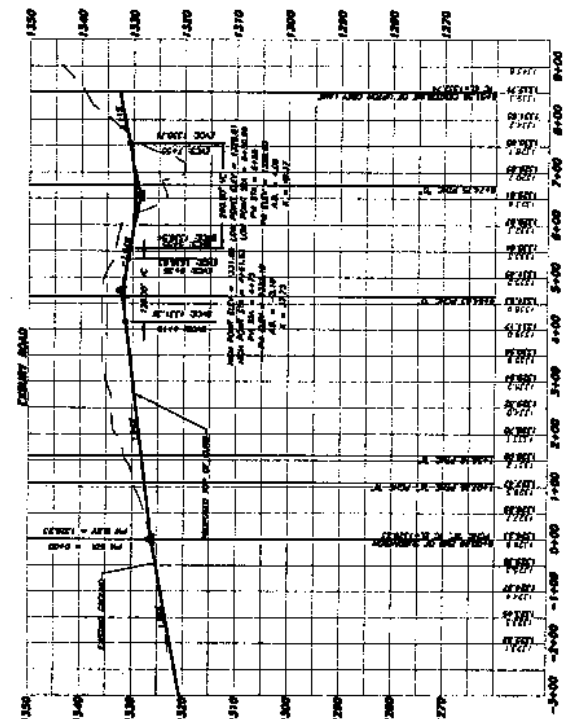
NO.	DATE	DESCRIPTION
1	10/1/00	PRELIMINARY



SCALE: HORIZONTAL 1" = 100'
VERTICAL 1" = 10'



SCALE: HORIZONTAL 1" = 100'
VERTICAL 1" = 10'



SCALE: HORIZONTAL 1"=100'
VERTICAL 1"=10'

PRELIMINARY STREET PAVING
PROFILES
BIG THOMPSON CREEK

REVISIONS

NO.	DATE	REVISION
1	10/1/80	INITIAL DESIGN
2	10/1/80	REVISION
3	10/1/80	REVISION
4	10/1/80	REVISION
5	10/1/80	REVISION
6	10/1/80	REVISION
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OLSON ASSOCIATES
10

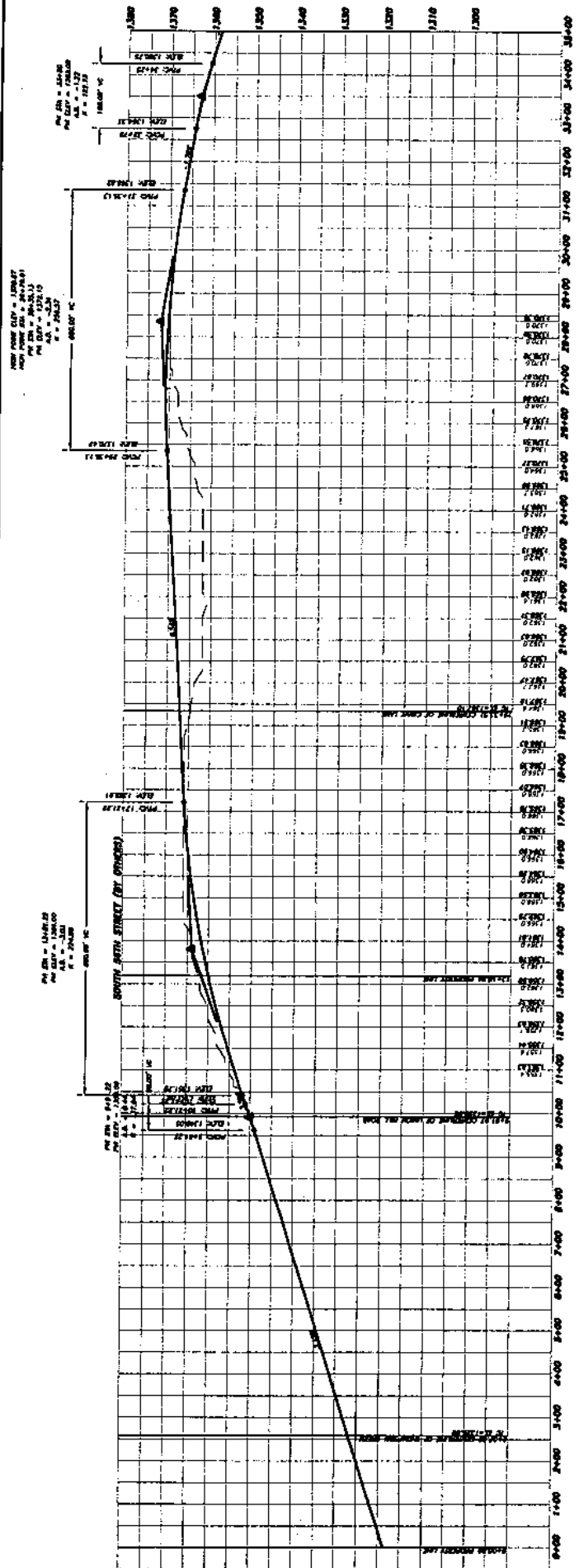
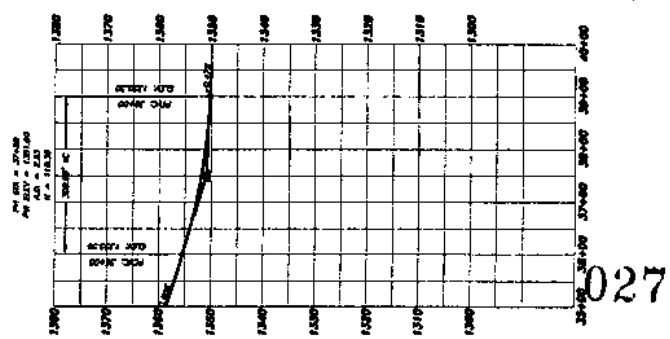


EXHIBIT A

VO

vo

[illegible]

7 OF 7
SHEET

LANDSCAPE PLAN

5N01SLA.3M

③ EMERGENCY TREE PLANTING DETAIL

① **PRECISE TREE PLANTING DETAIL**
EAL 103

[illegible]

LEGEND

NEW SPOTS TO BE REMOVED

NEW SPOTS TO BE REMOVED

NEW SPOTS TO BE REMOVED

KEY	LOCATION	COMPANY NAME	PROPERTY NAME	DATE OF ACQUISITION	NUMBER OF ACRES
A	CONY CREEK	GREENBRIER LUMBER	Big pasture "Greenbrier"	1962	10
B	UPPER BARNES FALLS	NEWARK BARNES CHAMBERS	Small pasture "Chambers"	1962	11
C	UPPER BARNES FALLS	NEWARK BARNES CHAMBERS	Small pasture "Chambers"	1962	11
D	UPPER BARNES FALLS	NEWARK BARNES CHAMBERS	Small pasture "Chambers"	1962	11
E	UPPER BARNES FALLS	NEWARK BARNES CHAMBERS	Small pasture "Chambers"	1962	11
F	UPPER BARNES FALLS	NEWARK BARNES CHAMBERS	Small pasture "Chambers"	1962	11
G	UPPER BARNES FALLS	NEWARK BARNES CHAMBERS	Small pasture "Chambers"	1962	11
H	UPPER BARNES FALLS	NEWARK BARNES CHAMBERS	Small pasture "Chambers"	1962	11
I	UPPER BARNES FALLS	NEWARK BARNES CHAMBERS	Small pasture "Chambers"	1962	11
J	UPPER BARNES FALLS	NEWARK BARNES CHAMBERS	Small pasture "Chambers"	1962	11
K	UPPER BARNES FALLS	NEWARK BARNES CHAMBERS	Small pasture "Chambers"	1962	11
L	UPPER BARNES FALLS	NEWARK BARNES CHAMBERS	Small pasture "Chambers"	1962	11
M	UPPER BARNES FALLS	NEWARK BARNES CHAMBERS	Small pasture "Chambers"	1962	11
N	UPPER BARNES FALLS	NEWARK BARNES CHAMBERS	Small pasture "Chambers"	1962	11
O	UPPER BARNES FALLS	NEWARK BARNES CHAMBERS	Small pasture "Chambers"	1962	11
P	UPPER BARNES FALLS	NEWARK BARNES CHAMBERS	Small pasture "Chambers"	1962	11
Q	UPPER BARNES FALLS	NEWARK BARNES CHAMBERS	Small pasture "Chambers"	1962	11
R	UPPER BARNES FALLS	NEWARK BARNES CHAMBERS	Small pasture "Chambers"	1962	11
S	UPPER BARNES FALLS	NEWARK BARNES CHAMBERS	Small pasture "Chambers"	1962	11
T	UPPER BARNES FALLS	NEWARK BARNES CHAMBERS	Small pasture "Chambers"	1962	11
U	UPPER BARNES FALLS	NEWARK BARNES CHAMBERS	Small pasture "Chambers"	1962	11
V	UPPER BARNES FALLS	NEWARK BARNES CHAMBERS	Small pasture "Chambers"	1962	11
W	UPPER BARNES FALLS	NEWARK BARNES CHAMBERS	Small pasture "Chambers"	1962	11
X	UPPER BARNES FALLS	NEWARK BARNES CHAMBERS	Small pasture "Chambers"	1962	11
Y	UPPER BARNES FALLS	NEWARK BARNES CHAMBERS	Small pasture "Chambers"	1962	11
Z	UPPER BARNES FALLS	NEWARK BARNES CHAMBERS	Small pasture "Chambers"	1962	11

028

LEGAL DESCRIPTION

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF LOT 37 I.T. AND LOT 36 I.T., LOCATED IN THE SOUTHWEST QUARTER (SW4) OF SECTION 21, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SW4; THENCE EASTERLY ON AN ASSUMED BEARING OF SOUTH 89 DEGREES 58 MINUTES 15 SECONDS EAST, ALONG THE NORTH LINE OF SAID LOT 37 I.T. EXTENDED AND THE NORTH LINE OF SAID SW4, A DISTANCE OF 50.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 37 I.T., SAID POINT BEING THE TRUE POINT OF BEGINNING.; THENCE CONTINUING SOUTH 89 DEGREES 58 MINUTES 15 SECONDS EAST, ALONG THE NORTH LINE OF SAID LOT 37 I.T. AND THE NORTH LINE OF SAID SW4, A DISTANCE OF 1,526.61 FEET TO THE NORTHEAST CORNER OF SAID LOT 37 I.T.; THENCE SOUTH 00 DEGREES 18 MINUTES 08 SECONDS WEST, ALONG THE EAST LINE OF SAID LOT 37 I.T., A DISTANCE OF 1,322.01 FEET TO THE SOUTHEAST CORNER OF SAID LOT 37 I.T.; THENCE NORTH 89 DEGREES 56 MINUTES 49 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 37 I.T., A DISTANCE OF 1,521.42 FEET TO THE SOUTHWEST CORNER OF SAID LOT 37 I.T.; THENCE NORTH 00 DEGREES 04 MINUTES 38 SECONDS EAST, ALONG A WEST LINE OF SAID LOT 37 I.T., SAID LINE ALSO BEING LOCATED 50.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SW4, A DISTANCE OF 111.17 FEET TO A WEST CORNER OF SAID LOT 37 I.T.; THENCE NORTH 08 DEGREES 36 MINUTES 43 SECONDS EAST, ALONG A WEST LINE OF SAID LOT 37 I.T., A DISTANCE OF 101.07 FEET TO A WEST CORNER OF SAID LOT 37 I.T.; THENCE NORTH 00 DEGREES 04 MINUTES 38 SECONDS EAST, ALONG A WEST LINE OF SAID LOT 37 I.T., SAID LINE ALSO BEING LOCATED 65.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SW4, A DISTANCE OF 99.92 FEET TO A WEST CORNER OF SAID LOT 37 I.T.; THENCE NORTH 08 DEGREES 26 MINUTES 32 SECONDS WEST, ALONG A WEST LINE OF SAID LOT 37 I.T., A DISTANCE OF 101.25 FEET TO A WEST CORNER OF SAID LOT 37 I.T.; THENCE NORTH 00 DEGREES 04 MINUTES 38 SECONDS EAST, ALONG A WEST LINE OF SAID LOT 37 I.T., AND THE WEST LINE OF SAID LOT 36 I.T., SAID LINE ALSO BEING LOCATED 50.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SW4, A DISTANCE OF 913.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS A CALCULATED AREA OF 2,013,399 SQUARE FEET OR 46.22 ACRES, MORE OR LESS.

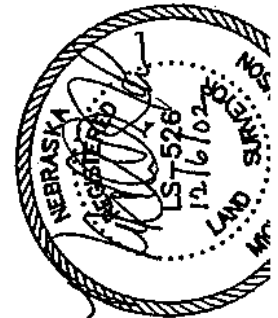
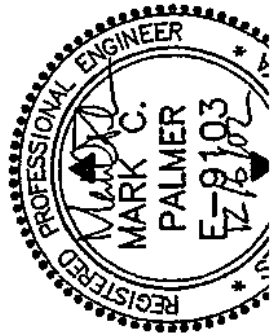
15 March 2002

F:\Projects\20010679\YTOPPO\dwg\YPREPLATMEYER.wpd

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE CAUSED TO BE SURVEYED THE BOUNDARY OF THE ABOVE PRELIMINARY PLAT AND THAT PERMANENT MONUMENTS HAVE BEEN PLACED OR FOUND AT ALL BOUNDARY CORNERS.

Handwritten signature



15

GENERAL SITE NOTES

1. SANITARY SEWER AND WATER LINES TO BE 8" PIPE AND 6" PIPE RESPECTIVELY UNLESS OTHERWISE SHOWN AND TO BE BUILT TO CITY OF LINCOLN SPECIFICATIONS.
2. ALL SANITARY SEWERS & WATER MAINS TO BE PUBLIC.
3. LOT DIMENSIONS SHOWN ARE APPROXIMATE AND MAY VARY UP TO 10 FEET.
4. ALL DIMENSIONS ALONG CURVES ARE CHORD DISTANCES.
5. ALL PAVING RADII TO BE 20' UNLESS OTHERWISE NOTED.
6. ALL INTERSECTION ANGLES SHALL BE 90° UNLESS OTHERWISE NOTED.
7. DIRECT VEHICULAR ACCESS TO SOUTH 56th STREET IS RELINQUISHED EXCEPT AS SHOWN.
8. ALL ELEVATIONS ARE BASED ON NAVD 1988.
9. SIDEWALKS TO BE BUILT ALONG BOTH SIDES OF STREETS.
10. EASEMENTS AS SHOWN SHALL BE GRANTED FOR PUBLIC USE AND FOR SIDEWALKS. ALL SIDEWALKS SHALL BE 4' WIDE AND ALL SIDEWALK EASEMENTS SHALL BE 5' WIDE (UNLESS OTHERWISE NOTED)
11. TOTAL USAGE:
 BASE
 157 SINGLE FAMILY
 TOTAL UNITS....157

 1 FIRE STATION (LOT 5 BLOCK 11)

 TOTAL BLOCKS - 11
 TOTAL LOTS - 158

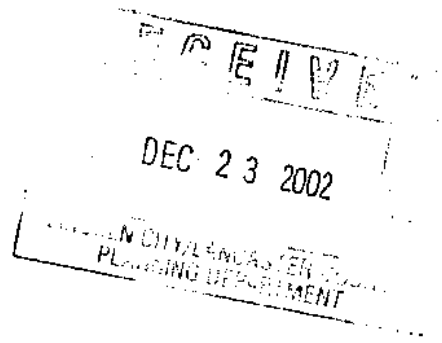
 OUTLOT "A" - BIKE PATH, DRAINAGE, GREENSPACE, AND BLANKET UTILITY EASEMENT
 OUTLOT "B" - DRAINAGE, GREENSPACE, AND BLANKET UTILITY EASEMENT
 OUTLOT "C" & "D" - BIKE PATH, GREENSPACE, AND BLANKET UTILITY EASEMENT
12. ORNAMENTAL LIGHTING ALONG ALL PUBLIC STREETS SHALL BE IN ACCORDANCE WITH L.E.S. REGULATIONS.
13. THE DEVELOPER AGREES TO COMPLY WITH THE DESIGN STANDARDS OF THE CITY OF LINCOLN FOR EROSION CONTROL AND SEDIMENTATION DURING AND AFTER LAND PREPARATION AND FURTHER TO SUBMIT A SEEDING AND MAINTENANCE SCHEDULE BEFORE SITE GRADING IS COMPLETE.
14. THE DEVELOPER AGREES TO COMPLY WITH PROVISIONS OF THE LAND SUBDIVISION ORDINANCE REGARDING LAND PREPARATION.
15. THE DEVELOPERS ARE CURRENTLY WORKING WITH L.E.S., THE OWNERS OF LOT 36 I.T., TO HAVE THE PROPERTY DECLARED SURPLUS AND INCORPORATED INTO THIS DEVELOPMENT. THE FIRE STATION HAS EXPRESSED INTEREST IN THIS PROPERTY. AN AREA HAS BEEN SHOWN FOR A POTENTIAL FIRE STATION SITE IF THE FIRE DEPARTMENT ACQUIRES THE GROUND.
16. EXISTING BUILDINGS SHALL BE REMOVED PRIOR TO FILING OF THE FINAL PLAT.
17. ANY CONSTRUCTION OR GRADE CHANGES IN LES TRANSMISSION LINE EASEMENT CORRIDORS ARE SUBJECT TO LES APPROVAL AND MUST BE IN ACCORDANCE WITH LES DESIGN AND SAFETY STANDARDS.
18. LANDSCAPING MATERIAL SELECTIONS WITHIN EASEMENT CORRIDORS SHALL FOLLOW ESTABLISHED GUIDELINES TO MAINTAIN MINIMUM CLEARANCE FROM UTILITY FACILITIES.

SITE PLAN

drawn by:
checked by:
approved by:



OLSSON ASSOCIATES
ENGINEERS • PLANNERS • SCIENTISTS • SURVEYORS



December 23, 2002

Mr. Marvin Krout, Planning Director
Planning Department
County - City Building
555 South 10th Street, Suite 213
Lincoln, NE 68508

Re: Big Thompson Creek Preliminary Plat
OA Project No. 2001-0679.04

Dear Mr. Krout,

Enclosed, please find the following documents for the above mentioned project:

- a. Site Plan; 16 copies.
- b. Drainage and Grading Plan; 10 copies.
- c. Street Profile Plans; 5 copies
- d. Landscape Plan; 10 copies.
- e. 8 1/2" x 11" print Site plan
- f. Drainage Study; 3 Copies

- * (Soils Report previously submitted).
- * (HEC-1 Beals Slough Drainage Study previously submitted).

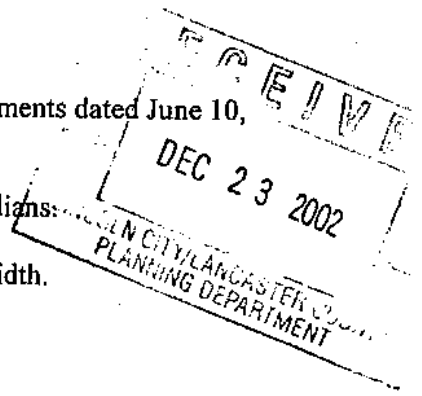
The annexation agreement has previously been submitted under separate cover by Seacrest and Kalkowski P.C.

Following are our responses to Dennis Bartels, Public Works and Utilities comments dated July 19, 2002. Please note that the roadway configuration has been changed to accomodate the proposed Fire Station.

- 1) Sanitary Sewer - (15' depth):
We have revised our site grading plans to minimize the depth of the sewer. The sewer will still flow opposite street grades, however, it will not exceed the 15' depth.
- 2) Water - (24" water main):
The payment for the 24" water main will be addressed in the annexation agreement.
- 3) Street System:
We have revised our plans to show 60' of Right of Way adjacent to 56th street.
The payment for the roadways, LES pole relocation, and temporary pavement will be addressed in the annexation agreement.
- 4) Drainage & Grading: The plans have been revised to address Public Work's comments.

031

Following are our responses to **Mark Canney**, Lincoln Parks and Recreation's comments dated June 10, 2002.



- 1) This submittal includes a detailed landscape plan of the Traffic circles / medians:
- 2) The cross section of the Public Way Corridor has been changed to 120' in width.

Following are our responses to **LES** comments (Verbal from Jason Reynolds)

- 1) Blanket easements have been provided for Outlots A, B, & C. Previous submittals provide for blanket easements for Outlots D & E.

The following **waivers** are being requested:

- 1) To allow the length of Block 7 & 10 to exceed 1320'.
- 2) To waive pedestrian easements in blocks that exceed 1,000 feet in length.
(The future bike trail, Outlot D, will serve as pedestrian access across blocks in question).
- 3) To allow Sanitary Sewer Main flow opposite street grades at Upton Grey Lane and Great Falls Road .
- 4) To waive the lot depth requirement for Lots 1, 2, 3, 4, & 5, Block 1; Lots 1 & 2, Block 11.
- 5) To allow lot lines perpendicular to right-of-way lines.

Please contact us if you have any questions or require any additional material for your review.

Sincerely,


Stephen Clymer, AIA

Attachments

cc: Tom White
John Brager
Gerald Schleich
File

F:\Projects\20010679\doc\lmc.1202.wpd

Memorandum

To: Brian Will, Planning Department

From: ~~Dennis~~ Bartels, Public Works and Utilities
Chad Blahak, Public Works and Utilities

Subject: Big Thompson Creek

Date: December 23, 2002

cc: Randy Hoskins
Dennis Bartels
Nicole Fleck-Tooze
Devin Biesecker

Engineering Services has reviewed the re-submitted preliminary plat for Big Thompson Creek, located east of South 56th Street, 1/4 mile north of Yankee Hill Road and has the following comments:

1. Water - The water system for this plat is satisfactory.

As stated in the memo dated July, 19 2002, the City has not budgeted funds for the construction of the 24" water main in South 56th Street and that the cost for the main should be the responsibility of the development. The construction should be required in the annexation agreement with an estimated surety of \$105,000.

2. Sanitary - The sanitary system for this plat is satisfactory.

3. Grading/Drainage - As shown, the storm sewer from area A6 does not have the capacity for the 100 yr flood and drainage swale is required between lots 12&13 and 4&5 in block 10. The grading plan should be revised accordingly. Also, provide cross-section and water surface elevation for drainage swale mentioned above and minimum opening elevations for lots 4,5,12, and 13 in block 10.

Provide a cross-section and water surface elevation for the drainage swale between lots 1&2 block 7 and lots 9&10 block 7. Verify minimum opening elevations for lots 1,2,9, and 10 in block 7 according to above water surface elevations.

According to the Thompson Creek development to the north, area O8 should be added to A7 and area O6 should be added to A6.

The grading plan shows grading outside the limits of this plat on the south and east boundaries. Does the developer have permission to grade on these properties?

The slope on the back side of the detention pond dam is greater than the 4:1 maximum. The grading plan should be revised accordingly.

December 18, 2002

4. Streets - A requested waiver of design standards for 3% platform slope on Cavvy Road east from South 56th Street needs to be added to sheet 1 of 7. Public Works will then recommend approval of this requested waiver. If other locations are to be considered for this waiver, they need to be identified and justification must be provided.

As stated in the memo dated July 19, 2002, the developer, as a condition of annexation approval, shall be required to construct temporary widening of existing South 56th Street to provide left turn provisions at the intersection of Cavvy Road and South 56th Street, if the preliminary plat is final plated prior to construction of permanent paving in South 56th Street.

As stated in the memo dated July 19, 2002, this plat, as a condition of annexation approval, should be required to contribute one-half of the equivalent cost to design, grade, and pave South 56th Street with curb and gutter along the frontage of this plat as a suburban cross-section (2 through lanes, each 17 feet in width and a median 28' in width). Such costs exclude right-of-way, sidewalks or trails and landscape screens or trees that are required as a condition of this plat. They do include grading and utility relocations. The preliminary estimate of this contribution is \$264,000. This plat, as a condition of annexation approval, should also be responsible for the LES utility pole relocations that would be necessary with the construction of the suburban cross-section.

5. Waivers - The developer is requesting a waiver of design standards for sanitary to flow against the slope of the street. Since this particular situation does not cause excessive depth, Public Works recommends approval.

The developer is requesting a waiver for block length in excess of 1320' for South 57th along block 7. Public works recommends the approval of this waiver.

6. General - The information shown on the preliminary plat relating to the public water main system, public sanitary sewer system, and public storm sewer system has been reviewed to determine if the sizing and general method providing service is satisfactory. Design considerations including, but not limited to, location of water main bends around curves and cul-de-sacs, connection of fire hydrants to the public main, temporary fire hydrant location, location and number of sanitary sewer manholes, location and number of storm sewer inlets, location of storm sewer manholes and junction boxes, and the method of connection storm sewer inlets to the main system are not approved with this review. These and all other design considerations can only be approved at the time construction drawings are prepared and approved.

Dennis D Bartels

To: Brian J Will/Notes@Notes

cc:

12/23/2002 03:47 PM

Subject: Big Thompson Creek Prelim Plat

Per the proposed annexation agreement, Public Works will agree to subsidize the 24" water main in 56th abutting this plat. This is different than stated in the memo sent to you earlier today from Chad Blakak.

MOTION TO AMEND

I hereby move to amend the Conditions recommended by the Lincoln City/Lancaster County Planning Staff Report for Preliminary Plat #02012 to read as follows:

PRELIMINARY PLAT CONDITIONS:

Site Specific:

1. After the subdivider completes the following instructions and submits the documents and plans and 6 copies to the Planning Department office, the preliminary plat will be scheduled on the City Council's agenda: (NOTE: These documents and plans are required by ordinance or design standards.)
 - 1.1 Revise the preliminary plat to show:
 - 1.1.1 Additional utility easements noted in the L.E.S. review, excluding any expansion of the existing L.E.S. utility easement along South 56th Street.
 - 1.1.2 A minimum lot depth of 120' for those lots adjacent to South 56th Street except for Lots 3, 4 and 5, Block 1.
 - 1.1.3 Required improvements in South 56th Street, including the dedication of a 10 feet pedestrian way/landscape easement east of the existing 50 feet of right-of-way that is subject to the existing L.E.S. easement, and add a note stating the property owners shall not be responsible for the cost of relocating any L.E.S poles along South 56th Street.
 - 1.1.4 An alternate street tree species approved by the Parks and Recreation Department for planting along South 56th Street.
 - 1.1.5 A 20' wide public access easement for the proposed bike trail along the north boundary of the plat.
 - 1.1.6 The intended use for all outlots, in addition to General Note #11.
 - 1.1.7 All owners of lands within the limits of the plat.
 - 1.1.8 The required landscape screen along South 56th Street located on private property and moved out of the public right-of-way.
 - 1.1.9 The requested waivers on the face of the plat revised to ~~delete #3~~ limit the lot depth waiver to Lots 3, 4 and 5, Block 1, only, and to include the waivers to a pedestrian easement, an intersection approach exceeding 3% grade, and lot lines not perpendicular to a street.
 - 1.1.10 Either the grading plan revised to show no grading on adjacent properties, or the plat revised to show those lands within the boundary; or written approval from adjacent land owners is provided.
 - 1.2 A revised grading and drainage plan per Public Works and Utilities review.
2. The City Council approves associated requests:

- 2.1 Annexation #02004.
- 2.2 Change of Zone #3362.
- 2.3 An exception to the design standards to permit sanitary sewer flow opposite street grades; and, an intersection approach exceeding 3% grade.
- 2.4 A modification to the requirements of the land subdivision ordinance to permit block length in excess of 1,320'; pedestrian easement where a block exceeds 1,000' in length; and, lot lines not perpendicular to a street; and lots less than 120 feet deep adjacent to a major street for Lots 3, 4 and 5, Block 1.

General:

- 3. Lots 10-16, Block 7 cannot be included in a final plat until all required right-of-way for Exbury Road is dedicated and provisions for completing the improvement therein have been made in accordance with the Land Subdivision Ordinance.
- 4. Final Plats will be scheduled on the Planning Commission agenda after:
 - 4.1 You have completed or posted a surety to guarantee the completion of the public streets, sidewalks, sanitary sewer system, water system, drainage facilities, land preparation and grading, sediment and erosions control measures, storm water detention/retention facilities, drainageway improvements, street lights, landscaping screens, street trees, temporary turnaround and barricades, and street name signs.
 - 4.2 The subdivider has signed an agreement that binds the subdivider, its successors and assigns:
 - 4.2.1 To submit to the Director of Public Works a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land for approval.
 - 4.2.2 To complete the private improvements shown on the preliminary plat.
 - 4.2.3 To maintain the outlots and private improvements on a permanent and continuous basis, to properly and continuously maintain and supervise the private facilities which have common use or benefit, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning of storm water detention/retention facilities as they were designed and constructed within the development. However, the subdivider may be relieved and discharged of these maintenance obligations upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The subdivider shall not be

relieved of such maintenance obligations until the document or documents creating said property owners association have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.

- 4.2.4 To continuously and regularly maintain the landscape screens and landscaping in medians within the internal streets.
- 4.2.5 To submit to the lot buyers and homebuilders a copy of the soil analysis.
- 4.2.6 ~~To properly and continuously maintain and supervise the private facilities which have common use or benefit, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning of storm water detention/retention facilities as they were designed and constructed within the development, and that these are the responsibility of the land owner.~~
- 4.2.7 To pay all improvement costs except as otherwise provided in the Big Thompson Creek Conditional Annexation and Zoning Agreement ~~the cost in excess of the equivalent of a 6" water main for the 24" water main in South 56th Street and all costs of the water main for that portion of it adjacent to the L.E.S. property (Lot 36 I.T.).~~
- 4.2.8 To comply with the Land Preparation and Grading requirements of the Land Subdivision Ordinance.
- 4.2.9 To relinquish the right of direct vehicular access from all lots to South 56th Street except for Lot 5, Block 11, and as shown on the plat.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant

Requested by: SEACREST & KALKOWSKI, P.C.

MOTION TO AMEND

I hereby move to amend the Conditions recommended by the Lincoln City/Lancaster County Planning Staff Report for Preliminary Plat #02012 to read as follows:

PRELIMINARY PLAT CONDITIONS:

Site Specific:

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acceptable to Public Works Department, Parks and Recreation Department and Lincoln Electric System
- 1.1 Revise the preliminary plat to show:
 - 1.1.1 Additional utility easements noted in the L.E.S. review, excluding any expansion of the existing L.E.S. transmission line easement along South 56th Street.
 - 1.1.2 A minimum lot depth of 120' for those lots adjacent to South 56th Street except for Lots 3, 4 and 5, Block 1.
 - 1.1.3 Required improvements in South 56th Street, including the dedication of a pedestrian way/landscape easement east of the existing 50 feet of right-of-way that is 20 feet wide along the north 150 feet of the property included within the plat and 40 feet wide along the remainder of the property included within the plat and is subject and subservient to the existing L.E.S. transmission line easement along South 56th Street. The owners shall be responsible for vertically adjusting the L.E.S. transmission pole located along South 56th Street approximately 386 feet north of the south property line in conjunction with the grading of the property included within the limits of the plat.
 - 1.1.4 An alternate street tree species approved by the Parks and Recreation Department and L.E.S. for planting along South 56th Street.
 - 1.1.5 A 20' wide public access easement for the proposed bike trail along the north boundary of the plat that is subject and subservient to the existing L.E.S. easement.
 - 1.1.6 The intended use for all outlots, in addition to General Note #11.
 - 1.1.7 All owners of lands within the limits of the plat.
 - 1.1.8 The required landscape screen along South 56th Street located on private property and moved out of the public right-of-way.
 - 1.1.9 The requested waivers on the face of the plat revised to ~~delete #3~~ limit the lot depth waiver to Lots 3, 4 and 5, Block 1, only, and to include the waivers to a pedestrian easement, an intersection approach exceeding 3% grade, and lot lines not perpendicular to a street.
 - 1.1.10 Either the grading plan revised to show no grading on adjacent properties, or the plat revised to show those lands within the boundary; or written approval from adjacent land owners is provided.
- 1.2 A revised grading and drainage plan per Public Works and Utilities review.
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 - 4.2 The subdivider has signed an agreement that binds the subdivider, its successors and assigns:
 - 4.2.1 To submit to the Director of Public Works a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land for approval.
 - 4.2.2 To complete the private improvements shown on the preliminary plat.
 - 4.2.3 To maintain the outlots and private improvements on a permanent and continuous basis, to properly and continuously maintain and supervise the private facilities which have common use or benefit, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning of storm water detention/retention facilities as they were designed and constructed within the development. However, the subdivider may be relieved and discharged of these maintenance obligations upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The subdivider shall not be relieved of such maintenance obligations until the document or documents creating said property owners association have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.
 - 4.2.4 To continuously and regularly maintain the landscape screens and landscaping in medians within the internal streets.
 - 4.2.5 To submit to the lot buyers and homebuilders a copy of the soil analysis.

- 4.2.6 ~~To properly and continuously maintain and supervise the private facilities which have common use or benefit, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning of storm water detention/retention facilities as they were designed and constructed within the development, and that these are the responsibility of the land owner.~~
- 4.2.7 To pay all improvement costs except as otherwise provided in the Big Thompson Creek Conditional Annexation and Zoning Agreement~~the cost in excess of the equivalent of a 6" water main for the 24" water main in South 56th Street and all costs of the water main for that portion of it adjacent to the L.E.S. property (Lot 36 I.T.).~~
- 4.2.8 To comply with the Land Preparation and Grading requirements of the Land Subdivision Ordinance.
- 4.2.9 To relinquish the right of direct vehicular access from all lots to South 56th Street except for Lot 5, Block 11, if used as a fire station or for other public use, and as shown on the plat.

Introduced by:

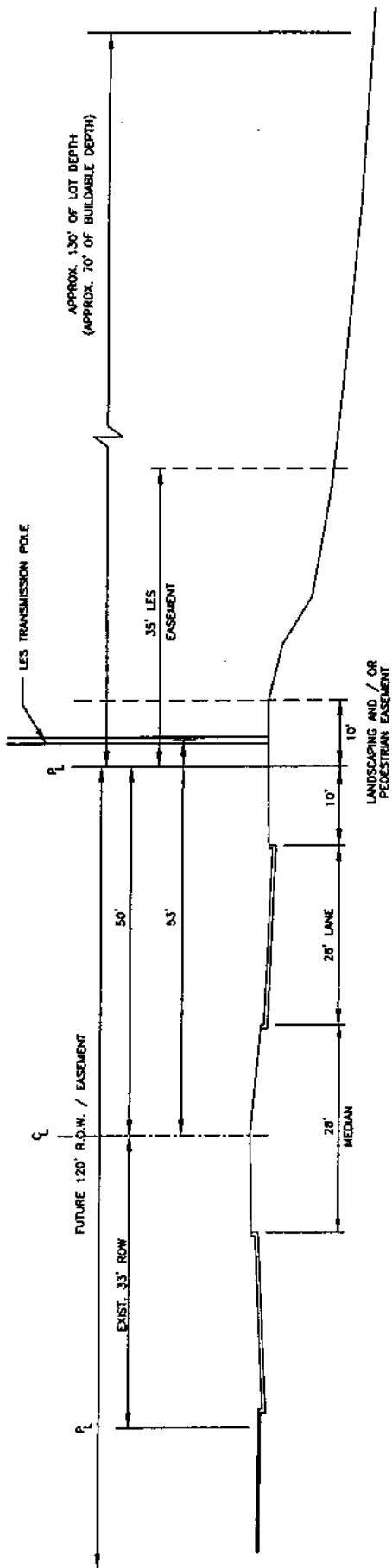
Approved as to Form & Legality:

City Attorney

Staff Review Completed:

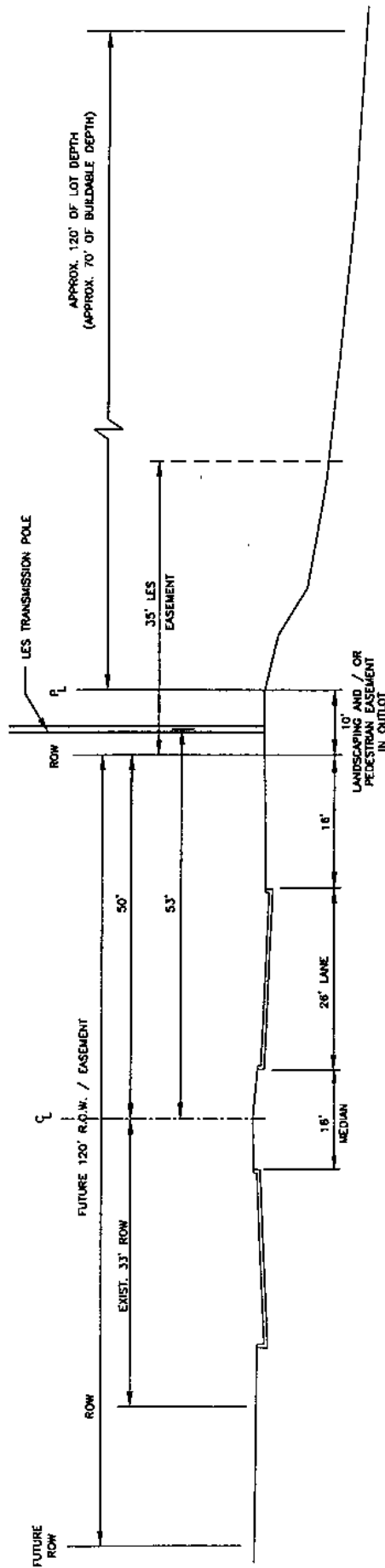
Administrative Assistant

Requested by: SEACREST & KALKOWSKI, P.C.



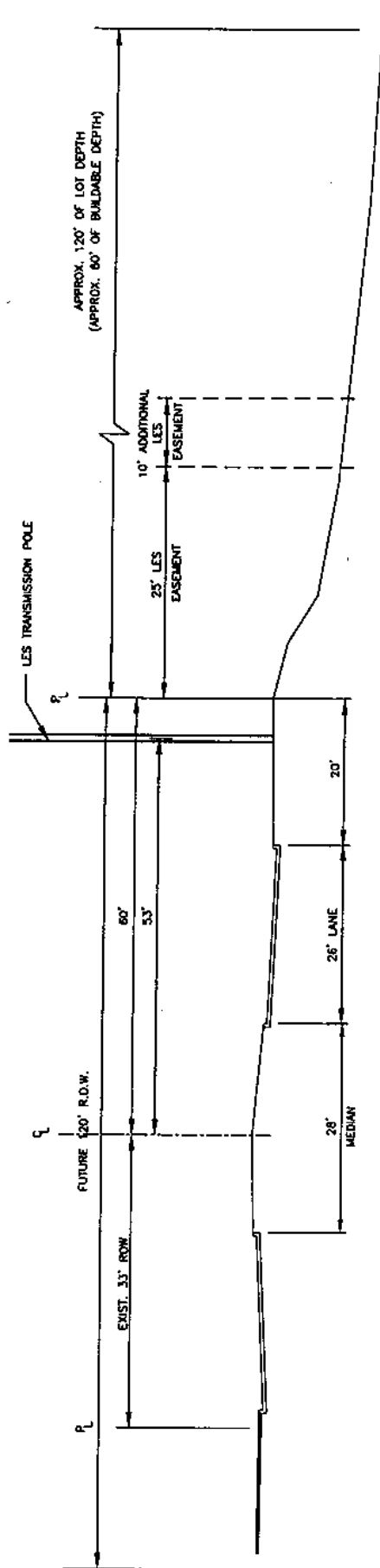
120' R.O.W. / EASEMENT SECTION

28' MEDIAN OPTION

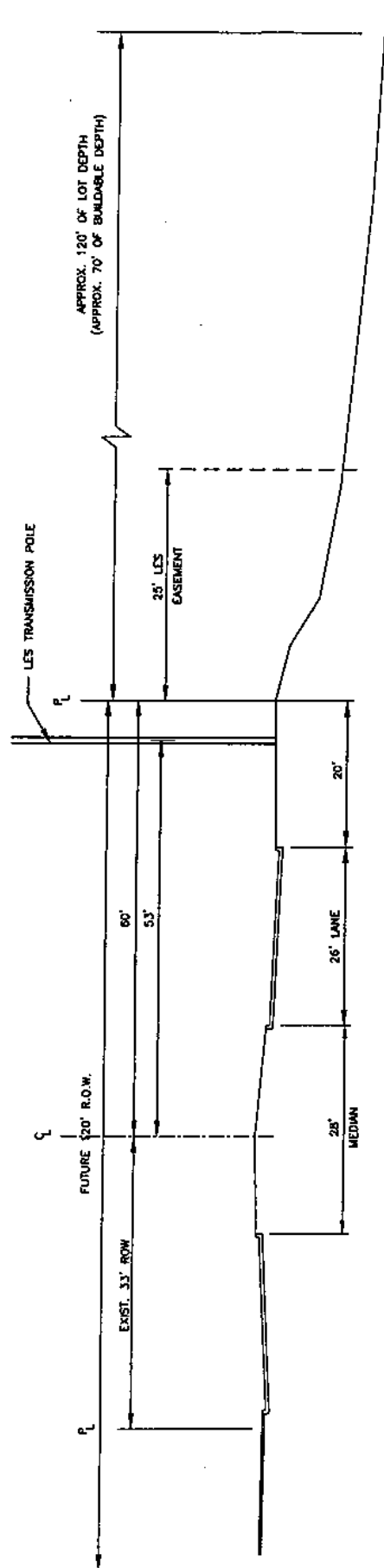


120' R.O.W. / EASEMENT SECTION

16' MEDIAN OPTION



120' R.O.W. SECTION
(PLANNING DEPARTMENTS PROPOSAL)



120' R.O.W. SECTION
(SUBMITTED DEVELOPER PLAN)